United States Patent and Trademark Office United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov APPLICATION NO. 24 HOL FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10/720,003 11/24/2003 Gregory E. Ross 150449D1 3969 7590 08/16/2007 **EXAMINER** Frederick Frei Andrews Kurth LLP BLACKWELL, GWENDOLYN ANNETTE **Intellectual Property Department ART UNIT** PAPER NUMBER 1701 Pennsylvania Avenue NW, Suite 300 Washington, DC 20006 1775

MAIL DATE DELIVERY MODE

08/16/2007

PAPER .

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Application No. Applicant(s)	O'P - 4AJ	•		
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Examiner -The MAILING DATE of this communication appears on the cover abset with the covrespondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Entertained of tean any is a entitled under the precision of 37 CPR 1.13(6), In an evert, however, any e may be timely fired into 30 (4) MONTH from the maining date of this extraction of the any is a entitled under the second of the s		10/720,003	ROSS, GREGOR	Y E.
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2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mall Date 6) Other:		have been received		
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application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application Paper No(s)/Mail Date				Stano
* See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application 6) Other:	·			Stage
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 4) Interview Summary (PTO-413) Paper No(s)/Mail Date 5) Notice of Informal Patent Application 6) Other:	· · · · · · · · · · · · · · · · · · ·		ed. ·	
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Application/Control Number: 10/720,003

Art Unit: 1775

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group II, claims 30-34 in the reply filed on December 8, 2006 is acknowledged. The traversal is on the ground(s) that it would not constitute an undue burden to search both inventions. This argument has been considered, but not found persuasive. MPEP § 808.02 recites that for the purposes of the initial requirement of a restriction, a serious burden on the examiner may be prima facie shown if the examiner shows by appropriate explanation either separate classification, separate status in the art, or a different field of search as defined in MPEP § 808.02. Since the Examiner has shown a separate status in the art for the two groups of claims, a burden for examining both groups has been shown.

The requirement is still deemed proper and is therefore made FINAL.

Reissue Applications

- 2. An inquiry is made into the existence of an assignment of this application. It is noted that there is a statement of non-assignment filed April 12, 2004. However USPTO records indicate that an assignment was filed on May 31, 2006. It is noted that there must be written consent of all assignees owning an undivided interest in the patent in compliance with 37 CFR 1.172. See MPEP 1410.01. Clarification is required.
- 3. The amendment filed July 13, 2005 proposes amendments to the claims that do not comply with 37 CFR 1.173(b), which sets forth the manner of making amendments in reissue applications. A supplemental paper correctly amending the reissue application is required.

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4. The reissue oath/declaration filed with this application is defective because it fails to identify at least one error, which is relied upon to support the reissue application. See 37 CFR 1.175(a)(1) and MPEP § 1414.

Claims 30:-34 are rejected as being based upon a defective reissue oath under 35 U.S.C. 251 as set forth above. See 37 CFR 1.175.

The error relied upon to support the reissue application is not sufficient. See MPEP 1414, section II. Applicant does not identify a single word, phrase or expression in the claim and how it renders the original patent inoperative or invalid. The nature of the defect(s) in the oath is set forth in the discussion above in this Office action.

Claim Objections

5. Claim 1 is objected to because of the following informalities:

Claim 1, line 5 contains the word "lest". In light of the claim language, should the word be "least" Clarification is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 7. Claims 30-34 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent no. 4,673,609, Hill.

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Regarding claim 30

Hill discloses a unidirectional panel comprised of panel of transparent (substrate) material having a first design visible from one side yet not the other, (column 2, lines 23-30). The design (second coating) on the panel is superimposed on a pattern of opaque elements (first coating), (column 3, lines 10-33), meeting the limitations of claim 30.

Regarding claims 31-34

The panels can be used on vehicles (motor vehicles), (column 21, lines 49-67), meeting the limitations of claim 31.

The pattern of the panel can be in the form of indicia, (column 22, lines 52-60), meeting the limitations of claim 32.

The design portion of the panel can have two or more colored areas, (column 14, lines 38-50), meeting the limitations of claim 33.

The panel can be attached to a vehicle windshield, (column 15, lines 11-24), meeting the limitations of claim 34.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gwendolyn Blackwell whose telephone number is (571) 272-1533. The examiner can normally be reached on Monday - Thursday; 6:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer McNeil can be reached on (571) 272-1540. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gwendolyn

Examiner Art Unit 1775

gab

SEP 1 0 2007 Applicant(s)/Patent Under Reexamination Application/Control No. Notice of References Change 10/720,003 ROSS, GREGORY E. Art Unit Examiner Page 1 of 1 1775

U.S. PATENT DOCUMENTS

Gwendolyn Blackwell

c#		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	Α	US-4,673,609	06-1987	Hill, George R.	428/187
	8	US-			
·	С	US-			
	D	US-			
	E	US-			
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FOREIGN PATENT DOCUMENTS

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NON-PATENT DOCUMENTS

		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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"A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)

Pates in MM-YYYY format are publication dates. Classifications may be US or foreign.

U.S. Patent and Trademark Office PTO-892 (Rev. 01-2001)

Notice of References Cited

Part of Paper No. 20070108

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